

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIA DIAZ,

Defendant.

8:16–CR–248

**ORDER GRANTING MOTION TO
WITHDRAW AND DENYING MOTION
TO REDUCE SENTENCE**

This matter is before the Court on the *pro se* Motion to Reduce Sentence filed by Maria Diaz ([Filing 482](#) and [Filing 484](#)) and the Motion to Withdraw filed by Federal Public Defender, Mr. David R. Stickman. [Filing 489](#).¹ After the Defendant filed her Motion to Reduce Sentence, the Office of the Federal Public Defender was appointed to represent her pursuant to General Order No. 2023-09. [Filing 483](#). The purpose of this appointment was to determine whether the Defendant qualified “for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendments of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10 providing for the retroactive application of Amendment 821[.]” [Filing 483 at 1](#). Mr. Stickman has moved to withdraw as counsel because “the Defendant’s offense of conviction involved a firearm and [she] received an adjustment for an aggravating role and therefore no relief is allowed pursuant to U.S.S.G. § 4C1.1(a)(7) and (10).” [Filing 489 at 1](#). The United States Probation Office also submitted a worksheet in this case which states that the Defendant is not entitled to a reduction. [Filing 490](#).

The Court has conducted its own review of the Defendant’s *pro se* Motion along with other relevant matters in the record. The Court concludes that the Defendant is not entitled to the sentencing relief she seeks. Her *pro se* Motion is without merit and will be denied. The Court

¹ Diaz describes both [Filing 482](#) and [Filing 484](#) as “Motions,” although [Filing 484](#) more closely resembles a brief in support of a Motion. She seeks the same relief in both of these submissions. Therefore, the Court considers both submissions together as made in furtherance of one motion.

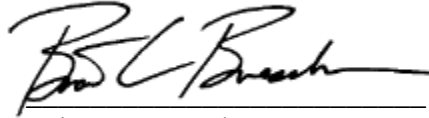
likewise concludes that Mr. Stickman's Motion to Withdraw should be granted for the reasons he set forth in his Motion. Accordingly,

IT IS ORDERED:

1. Federal Public Defender David R. Stickman's Motion to Withdraw, [Filing 489](#), is granted; and
2. The relief Diaz seeks in [Filing 482](#) and [Filing 484](#), is denied.

Dated this 2nd day of August, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge